

SENATE RECORD VOTE ANALYSIS

105th Congress
1st Session

Vote No. 178

July 16, 1997, 2:01 pm
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FOREIGN OPERATIONS APPROPRIATIONS/Religious Discrimination by Russia

SUBJECT: Foreign Operations, Export Financing, and Related Programs Appropriations Bill for FY 1998 . . . S. 955.
Smith (of Oregon)/Nickles substitute amendment No. 889 to the Smith (of Oregon) amendment No. 888.

ACTION: AMENDMENT AGREED TO, 95-4

SYNOPSIS: As reported, S. 955, the Foreign Operations, Export Financing, and Related Programs Appropriations Bill for fiscal year 1998, will provide \$13.244 billion in foreign assistance, and will make \$3.521 billion available to the International Monetary Fund (IMF) under the new arrangements for borrowing (NAB; this amount will not be scored as an outlay or as increasing the deficit because the United States will receive in exchange another monetary asset in the form of a liquid, interest-bearing claim on the IMF, which will be backed by the IMF's gold reserves).

The Smith (of Oregon) amendment would prohibit any of the foreign aid funds appropriated under this bill from being made available to Russia unless the President certified that the Russian government had enacted no law and promulgated no executive order that would discriminate against religious minorities in violation of the international agreements which it had signed.

The Smith (of Oregon)/Nickles substitute amendment would add a provision that would make the effective date of the underlying amendment 1 day after the date of enactment of the bill.

NOTE: After the vote, the underlying amendment was adopted by voice vote.

Those favoring the amendment contended:

On July 4, the Russian Duma passed a bill which, if signed into law, would severely restrict freedom of religion in that country. Ironically titled "On Freedom of Conscience and on Religious Associations," the bill would, among other things, require religious groups to register with the state and submit their religious doctrines and practices to scrutiny by a commission of so-called state experts with the power to deny them legal status as religious organizations. Without legal status, these groups would lose the rights

(See other side)

YEAS (95)				NAYS (4)		NOT VOTING (1)	
Republican (53 or 98%)		Democrats (42 or 93%)		Republicans (1 or 2%)	Democrats (3 or 7%)	Republicans (1)	Democrats (0)
Abraham	Hutchinson	Akaka	Johnson	Lugar	Bingaman	Burns- ^{2AY}	
Allard	Hutchison	Baucus	Kennedy		Byrd		
Ashcroft	Inhofe	Biden	Kerry		Kerrey		
Bennett	Jeffords	Boxer	Kohl				
Bond	Kempthorne	Breaux	Landrieu				
Brownback	Kyl	Bryan	Lautenberg				
Campbell	Lott	Bumpers	Leahy				
Chafee	Mack	Cleland	Levin				
Coats	McCain	Conrad	Lieberman				
Cochran	McConnell	Daschle	Mikulski				
Collins	Murkowski	Dodd	Moseley-Braun				
Coverdell	Nickles	Dorgan	Moynihan				
Craig	Roberts	Durbin	Murray				
D'Amato	Roth	Feingold	Reed				
DeWine	Santorum	Feinstein	Reid				
Domenici	Sessions	Ford	Robb				
Enzi	Shelby	Glenn	Rockefeller				
Faircloth	Smith, Bob	Graham	Sarbanes				
Frist	Smith, Gordon	Harkin	Torricelli				
Gorton	Snowe	Hollings	Wellstone				
Gramm	Specter	Inouye	Wyden				
Grams	Stevens						
Grassley	Thomas						
Gregg	Thompson						
Hagel	Thurmond						
Hatch	Warner						
Helms							

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

to rent or own property, to employ religious workers, to produce religious literature, to maintain bank accounts, or to conduct charitable and educational activities, and their members would have to be individually and officially registered with the government. Moreover, the bill would automatically deny legal status to groups which had not "officially existed" in Russia for at least fifteen years--meaning that religions which refused to register in 1982 with the Communist regime of Leonid Brezhnev would be denied legal status--and it would require a religious group to have been in existence for 50 years in order to receive "all Russian" status. Groups deemed lower-class "new faiths" without legal status would include Pentecostals, Jehovah's Witnesses, Mormons, and even Catholics--all religions, in fact, except the Russian Orthodox church, Judaism, Islam, and Buddhism. As if that discrimination were not enough, it would sharply restrict the activities of foreign missionaries in Russia.

Not only would enactment of this bill contravene fundamental democratic ideals, it would also directly violate several international agreements on human rights and religious freedoms to which the Russian Federation is a signatory (including the European Convention, the 1989 Vienna Concluding Document of the Conference on Security and Cooperation in Europe, and even Russia's own Constitution). In order to convey to President Yeltsin how strongly we urge him to exercise his veto power to kill this bill, we must do more than simply write more letters. This amendment sends that message clearly and strongly but does not, as the Administration claims, endanger American national security by eliminating funds for nuclear weapons reduction and security: only economic aid would be cut off, not the Nunn-Lugar cooperative threat reduction funds, which are funded in another appropriations bill.

American assistance to Russia is not an entitlement; it is a demonstration of our support for the emergence of democracy in a land cursed by communism for decades. If Russia turns back to authoritarianism, we should not blithely continue to aid it. We urge the Senate to adopt this amendment.

Those opposing the amendment contended:

We believe that the sponsors of the amendment have good intentions, but that the amendment is not structured in a way that we can support. First, we feel that it should include a national security waiver, which would permit the President to waive the aid cutoff if American national security were at stake. Further, while we understand and completely support the fundamental importance of religious freedom, to tie our nation's foreign aid decisions too closely to legislative outcomes in other countries -- even absolutely egregious ones like the Russian law -- can have serious unintended consequences and disrupt American national security objectives. Russia needs to hear our concerns about religious freedoms, and we should communicate our objections to this Russian law in the many other fora available to us, but this vehicle is not appropriate and could send matters in a negative rather than positive direction. For example, in the 1970s, when the United States was concerned about Jewish immigration from the Soviet Union, it was able to greatly increase such immigration by using quiet diplomacy. As soon as Congress enacted laws publicly attacking the Soviets on that matter, immigration was sharply reduced. The Smith amendment could well have the same effect.

We should also realize that many other nations, including Israel, Egypt, and Turkey would lose United States aid if they were held to the same standard that we are proposing for Russia. This amendment, therefore, would discriminate against one nation, even while it claims that discrimination is its concern. Just as Russia should apply one standard in the case of all religions, so should the United States apply one standard in the distribution of foreign aid to all other nations. We are focusing on Russia in a rather knee-jerk fashion. For all of these reasons, we urge the Senate to reject the Smith amendment.